

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

MICHAEL W. INGRAM,)
)
Plaintiff,)
)
v.) NO. 3:08-0127
) Judge Campbell/Bryant
DARON HALL, Sheriff, et al.,)
)
Defendants.)

TO: The Honorable Todd J. Campbell

REPORT AND RECOMMENDATION

The Court has received a handwritten letter from the plaintiff dated April 2, 2008, (Docket Entry No. 22), which states in part: "Sir's my name is Michael W. Ingram #135345, my case number is #3:08-CV-127 and I come to you sirs at this time to withdraw my case." The undersigned Magistrate Judge liberally construes this letter to be a motion for voluntary dismissal by the plaintiff pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure.

This case has been referred to the undersigned Magistrate Judge for report and recommendation on dispositive motions pursuant to 28 U.S.C. §§ 636(b)(1)(A) and (B). (Docket Entry Nos. 3 and 5).

RECOMMENDATION

Inasmuch as plaintiff's April 2, 2008, letter appears to be a request for leave to dismiss voluntarily his complaint, the undersigned Magistrate Judge hereby **RECOMMENDS** that plaintiff's letter motion be **GRANTED**, and that his complaint be **DISMISSED** without prejudice.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has ten (10) days from service of this Report and Recommendation in which to file any written objections to this Recommendation, with the District Court. Any party opposing said objections shall have ten (10) days from receipt of any objections filed in this Report in which to file any responses to said objections. Failure to file specific objections within ten (10) days of receipt of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. Thomas v. Arn, 474 U.S. 140 (1985), reh'q denied, 474 U.S. 1111 (1986).

ENTERED this 28th day of April 2008.

s/ John S. Bryant
JOHN S. BRYANT
United States Magistrate Judge